

CITY HALL
BOX CC
CARMEL-BY-THE-SEA, CALIFORNIA 93921

12 March 2002

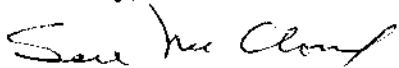
The Honorable Robert O'Farrell
Presiding Judge of the Superior Court
County of Monterey
P O Box 1819
Salinas, CA 93902

SUBJECT: GRAND JURY 2001 FINAL REPORT: MONTEREY BAY BEACHES

Dear Judge O'Farrell:

Enclosed are the responses of the City of Carmel-by-the-Sea, as required by Sections 933 and 933.05 of the California Penal Code, to the Findings and Recommendations in the 2001 Monterey County Grand Jury Report dated 2 January 2002.

Sincerely,

A handwritten signature in black ink, appearing to read "Sue McCloud", written in a cursive style.

Sue McCloud
Mayor

Enclosures: Response to Findings
Response to Recommendations

CITY OF CARMEL-BY-THE-SEA RESPONSES TO THE 2001 MONTEREY
COUNTY GRAND JURY FINAL REPORT (JANUARY 2002)

MONTEREY BAY BEACHES

INTRODUCTION:

The City of Carmel-by-the-Sea has been actively involved in controlling storm water runoff onto Carmel Beach for many years. Particular attention has been devoted to runoff pollution as the City prepared its Phase II NPDES permit.

The City Public Works Director has participated actively as a member of the AMBAG sponsored Storm Water/Urban Runoff Management Water Quality Project Technical Advisory Committee since 1991. The Committee was reorganized as the Monterey Bay Regional Storm Water Management Task Force in February 1994 and the City of Carmel-by-the-Sea was a charter member. Later that year, the Task Force concluded that the NPDES Phase II requirements could best be satisfied in the Monterey Bay area by a regional approach. Accordingly, in July 1995, Carmel-by-the-Sea supported the City of Monterey grant application under the Clean Water Act Section 319(h) which led to the development of the "Model Urban Runoff Program" (MURP) cited in the CY 2000 Grand Jury Report.

In June 2001, the City of Carmel-by-the-Sea joined the Regional Storm Water Permit Participants Group (City Council Resolution No. 2001-66), which is preparing a regional Phase II NPDES permit application.

In March 2001 (Ordinance 2001-02) the City formed a Storm Water Utility as a means to raise revenues for implementation of Best Management Practices (BMP's) to improve the quality of urban runoff in the storm drain system.

FINDINGS

1. *In 2000 there were four Monterey County beaches closed due to sewage spills and 25 warning advisories of high bacterial content at local beaches. There were two additional sewage spills which did not result in the closure of the affected beaches.*

Response: The Carmel Area Wastewater District is responsible for the collection system in Carmel-by-the-Sea.

2. *Through September 2001 there had been one Monterey County beach closure due to a sewage spill and 11 warning advisories of high bacterial content at local beaches. There were three additional sewage spills in 2001 which did not result in closure of the affected beaches.*

Response: The Carmel Area Wastewater District is responsible for the collection system in Carmel-by-the-Sea.

3. *There is inadequate storm drainpipe maintenance in Monterey Peninsula cities.*

Response: The City of Carmel-by-the-Sea partially concurs with this finding. The City of Carmel-by-the-Sea is in the process of preparing its URBAN RUNOFF PROGRAM and its Phase II National Pollution Discharge Elimination Program (NPDES) permit. Both of these are being developed on a regional basis in cooperation with other Monterey Peninsula cities through the Regional Storm Water Permit Participants Group. The Group is incorporating EPA approved Best management Practices (BMP's) into our general permit application. These include improved maintenance and gradual upgrade on our storm drain system. Short term, the maintenance is funded from the City's general fund. Long term, these will be funded through storm water fees collected by the City's Storm Water Utility. A consultant is currently preparing the initial fee for a vote this year.

4. *Only one public information forum on how to keep beaches and coastal waters healthy was conducted in Monterey County during 2001. It was held in Monterey on February 28, 2001.*

Response: The City of Carmel-by-the-Sea partially concurs with this finding. One of the mandated NPDES elements that is included in the City's urban runoff program and Phase II NPDES permit in Public Education and Outreach.

However, the cities in the Monterey Bay area have long ago agreed to employ media on a regional basis and utilize the expertise of the Monterey Bay Marine Sanctuary for outreach to schools and public groups. The Marine Sanctuary provides extensive classroom assistance to local schools and has advertised clean water tips at local movie theaters. Thus, education and outreach have, in fact, been quite successful in our region in 2001.

An initial study by Harris and Associates completed for Carmel in March 2000 recommends an additional annual expenditure of \$7,000 for this effort, in coordination with adjacent communities, once storm water fees have been initiated. The City Council contributed \$1,000 to the regional radio ad program "Dirty Words" in November 2001. The "Dirty Words" radio ads were developed by a Water Quality Education consultant funded by the Monterey Bay National Marine Sanctuary and the City of Monterey.

RECOMMENDATIONS

The 2001 Grand Jury recommends that:

1. *The Board of Supervisors directs the Environmental Health Division of the Monterey County Health Department to share its expertise with Monterey Peninsula cities, working with the cities to determine what support they require to develop a community education program. The community education program that each Monterey Peninsula city develops should include, but not be limited to:*
 - a. *Sources of run-off pollution into Bay waters;*
 - b. *Monterey Bay bacterial pollution;*
 - c. *Potential illnesses from polluted ocean water;*
 - d. *Methods of prevention of pollution of Monterey Bay waters.*

Response: The recommendation is being implemented. The City of Carmel-by-the-Sea agrees that expertise from the County Environmental Health Division could prove helpful with the education program. However, in light of the Monterey Bay Marine Sanctuary's ongoing regional education and outreach program, the County should coordinate its efforts with the Sanctuary.

The program elements suggested by the 2001 Grand Jury will be included as part of the Regional Public Education and Outreach components of the NPDES permit. These are scheduled to be submitted to the EPA in February 2003. The City plans to be collecting storm water fees to augment the program in the near future.